

**Senate File 1 - Reprinted**

SENATE FILE 1  
BY MATHIS

(As Amended and Passed by the Senate March 10, 2015)

**A BILL FOR**

1 An Act relating to bidding for purchases through a competitive  
2 bidding process by the state.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.311, Code 2015, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 12A. *a.* If the lowest responsive bid  
4 received by the state for products or other purchases is from  
5 an out-of-state business and totals less than five hundred  
6 thousand dollars, and an Iowa-based business submitted a bid  
7 which is within five percent or ten thousand dollars of the  
8 price of the lowest bid, whichever is less, the Iowa-based  
9 business which submitted the lowest responsive bid shall be  
10 notified and shall be allowed to match the lowest bid before  
11 a contract is awarded.

12 *b.* This subsection does not apply to a request for bids or  
13 proposals for products or other purchases associated with the  
14 following:

15 (1) Road or bridge construction or repair.

16 (2) Architectural or engineering services.

17 *c.* This subsection does not apply to procurement of or for  
18 public improvement projects.

19 *d.* For purposes of this subsection, "*public improvement*"  
20 means a building or construction work which is constructed  
21 under the control of a governmental entity and is paid for  
22 in whole or in part with funds of the governmental entity,  
23 including a building or improvement constructed or operated  
24 jointly with any other public or private agency, and including  
25 a highway, bridge, or culvert project, but excluding emergency  
26 work or repair or maintenance work performed by state  
27 employees.

28 NEW SUBSECTION. 12B. *a.* A response to a request for  
29 bids or proposals for products or other purchases by the  
30 state which totals less than five hundred thousand dollars in  
31 value shall contain documentation showing that the submitting  
32 business paid taxes, as defined in section 445.1, in this state  
33 during the most recently completed fiscal year for which such  
34 documentation is available.

35 *b.* This subsection does not apply to a request for bids or

1 proposals for products or other purchases associated with the  
2 following:

3 (1) Road or bridge construction or repair.

4 (2) Architectural or engineering services.

5 c. This subsection does not apply to procurement of or for  
6 public improvement projects.

7 d. For purposes of this subsection, "*public improvement*"  
8 means a building or construction work which is constructed  
9 under the control of a governmental entity and is paid for  
10 in whole or in part with funds of the governmental entity,  
11 including a building or improvement constructed or operated  
12 jointly with any other public or private agency, and including  
13 a highway, bridge, or culvert project, but excluding emergency  
14 work or repair or maintenance work performed by state  
15 employees.